

C O N F I D E N T I A L SECTION 01 OF 02 ACCRA 000791

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LAGOS FOR DEA AND LEGATT

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TAGS: CJAN GH KCRM KWMN PGOV PHUM SNAR

SUBJECT: AMBASSADOR MEETS GHANA'S MINISTER OF JUSTICE:
EXTRADITION, TIP, HUMAN RIGHTS

REF: A. ACCRA 451

1B. STATE 41922
1C. 04 ACCRA 2503
1D. ACCRA 302

Classified By: Ambassador Mary C. Yates for reasons 1.5 d and e.

11. (SBU) Summary: On April 20, Ambassador and PolChief met with Ghana's new Minister of Justice and Attorney General Ayikoi Otoo and his new Deputy Minister to discuss extradition matters, pending legislation and several human rights cases. The Ambassador formally asked about the status of the Grace Coleman extradition request (there has been no movement.) The GOG reportedly wants to do more consultations with stakeholders before moving forward with the trafficking in persons bill (although it is not clear the minister's information on this is accurate). The Ministry has begun looking at our draft Letter of Agreement on Law Enforcement. End summary.

Extradition Issues

12. (U) The Ambassador thanked Otoo for the GOG's cooperation on the extraditions of Amcit Carmella Warren (extradited on 1/12/05) and Ghanaian Emmanuel Abraham (extradited on 3/25/05). Minister Otoo did not know the status of our extradition requests for Evan Kawesi Attah and Elizabeth Manu-Owusu (ref A). The Ambassador noted she was formally asking the status of our extradition request for Member of Parliament Grace Coleman, noting that lack of movement on this request was damaging Ghana's image in the USG, especially in relation to cooperation on anti-trafficking. Ghana needs to do something to move forward on this case, she stated. Otoo responded that, as far as he knew, this case had not been discussed in the top levels of government, including in Cabinet. However, he said he would take note of our interest and get back to us.

13. (C) The Ambassador gave the Minister a copy of the 2003 draft bilateral extradition treaty we had given to his predecessor. She noted our continued interest in updating the current 1931 bilateral treaty. Otoo made no substantive comment. (Note: PolChief later that day got an update from Rebecca Adjelo, the prosecutor in charge of extradition cases in the Ministry's Prosecutor's Office. She said the Attah and Manu-Owusu extradition efforts are still going through the courts. The defense is putting up many obstacles and the cases are going to the High Court the week of April 25. On Grace Coleman, she said all the legal paperwork is ready for extradition. It is only pending a political decision to act on the case. She offered to help put a fire under the extradition treaty negotiation. End note.)

Trafficking in Persons

14. (U) The Ambassador asked about the status of Ghana's anti-trafficking in persons (TIP) legislation. The GOG wants to do more consultations with civil society stakeholders before moving the bill to Cabinet and then to parliament, he said. He hoped this could be done before Parliament reconvenes on May 10. He acknowledged receipt of the draft Amendment to the Letter of Agreement (LOA) on Law Enforcement (which was also sent to the Minister of Interior), outlining training and technical assistance focused on the investigation, arrest, prosecution and conviction of traffickers (ref B). He had received a note from the Minister of Interior suggesting they meet to form a common GOG position on the LOA. Otoo said he had initial concerns about how to handle the victim assistance component of the LOA and about how the lack of a TIP law might impact LOA commitments.

Other Legislation

15. (U) Otoo confirmed that the Freedom of Information Act and Anti-Money Laundering bills have not been passed by Cabinet and need to have more civil society input. The Domestic Violence bill needs much more public discussion. The Whistle Blower Act is before Cabinet and he expects it will be sent to Parliament soon.

Human Rights Cases

16. (U) Otoo confirmed that the GOG had formally charged and detained three suspects in the case of the death in military custody of Alhaji Issah Mobila, a local politician in the Northern Region (ref C). The suspects are awaiting trial. He was convinced there were no other outstanding suspects in the case. When asked about the investigation of the 2002 murder of the Ya Na chief, Otoo said suspects had been acquitted and this was now a Ministry of Interior matter.

17. (U) When asked about the recent rise in violent crime, Otoo said he was worried about the vigilante lynching of suspected armed robbers and concerned by the public celebration of a policewoman whose recent actions led to the mob lynching of robbers.

18. (U) Minister Otoo drew our attention to his work on a report on the National Reconciliation Commission (NRC), which completed its work in October, 2004. The GOG plans to establish a reparation fund to compensate victims of human rights abuses since independence. It is unclear where the money will come from, although he hoped perpetrators would contribute anonymously. The International Center for Transitional Justice is helping the GOG identify how to raise the funds. Otoo noted that the GOG also envisions non-monetary gestures of reconciliation such as letters of apology and awards. (Note: Otoo publicly announced this initiative on April 22. End note.)

19. (U) The Ambassador asked about the role of the Attorney General's office in combating corruption. Otoo said the Ministry's Serious Fraud Office had the lead, but that his ministry had just formed an Internal Anti-Corruption Committee, composed of civil society and government members. He hoped we might support this group to improve skills in fighting corruption.

Comment

10. (C) The meeting with Otoo was disappointing. He was not well briefed on our issues, despite our having raised some of the same matters in a February meeting (see ref D, also for bio). Otoo still appears to be settling into being a minister, joking about getting used to courtesy calls and asking us for help with funding back-up generators for his ministry. Some of his answers were very partisan (pro-NPP). Many of the draft laws that we care about, including the TIP bill, do not appear to be as far along as we hoped (although the minister's information about the TIP law conflicts with other information we have received that the law will be going to Cabinet soon.) Otoo had no issues to raise with us, except the request to fund a generator. At the least, we hope we put some energy behind the LOA and the extradition treaty.